



www.haledorr.com

60 STATE STREET . BOSTON, MA 02109 617-526-6000 • FAX 617-526-5000

Total Number of Pages: 36 (including cover page)

Fax / Phone:

To:

Examiner Woodward

U.S.P.T.O.

703-746-5278 / 703-308-4028

From: Robert McIsaac, Ph.D. W

617-526-6168

RECEIVED JUL 1 1 2002

OFFICE OF PETITIONS

Date: August 28, 2001

Re:

U.S. Patent Application Serial No. 09/469,812

Entitled: Plasmids for Plant Transformation and Method of Using the Same

Our Ref. No.: 109846.137/SYN

PLEASE DELIVER TO EXAMINER WOODWARD

This facsimile transmission is confidential and may be privileged. If you are not the intended recipient, please immediately call the sender or, if the sender is not available, call 617-526-5413, and destroy all copies of this transmission. If the transmission is incomplete or illegible, please call the sender or, if the sender is not available, call 617-526-5413. Thank you.

Client Matter Number: 109846,137

Return To:

2910

Transmitted by:

BOSTON LONDON* MUNICH*

NEW YORK

Oxford* Princeton

RESTON

MALTHAM

WASHINGTON

@011

06/07/2002 10:51 FAX

** TX STATUS REPORT **

AUG 28 2001 11:56 PAGE.01 AS OF

HALE AND DORR LLP

DATE TIME **08/28 11:43** PTO 26

TO/FROM

MIN/SEC MODE 12'45" 037 **EC--**S

PGS

JOB# STATUS

OK



Please type a plus sign (+) Under the Paperwo valld OMB control (rk Reduction Act of 19	95, no pers	Patent and Trademark Office	ce: U.S.	PTO/SB/21 (6-98) ough 09/30/2000, OMB 0651-0031 DEPARTMENT OF COMMERCE ton of Information unless it displays a	+
	-		Application Number	09/	469,812	}
TRANS	MITTA	_	Filing Date	Dec	ember 22, 1999 ps	EIVED
FC	ORM		First Named Inventor	Dek	_	1 1 2002
(to be used for all corres	spondence after init	al filing)	Group Art Unit	163	8 05505	F PETITIONS
			Examiner Name	Kru	ise, D.	
Total Number of Pages	in This Submission	35	Attorney Docket Number	109	9846.137/SYN-014	,
		ENCLO	SURES (check all that app	ρly)		
Fee Transmittal For	m [nent Papers Application)		After Allowance Communication to Group	
Fee Attached	· [Drawing	J(s)		Appeal Communication to Board of Appeals and Interferences	
Amendment / Resp	ponse	Licensi	ng-related Papers		Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	
After Final			Routing Slip (PTO/SB/69) companying Petition		Proprietary Information	
Affidavits/de	eclaration(s)		to Convert to a onal Application		Status Letter	
Extension of Time	Request		of Attorney, Revocation of Correspondence		Additional Enclosure(s) (please identify below)	
Express Abandonn	nent Request	Termina	al Disclaimer	V	Postcard	
Information Disclos	sure Statement	Small E	Entity Statement			
Certified Copy of F	1	Reque	st for Refund			
Document(s)		narks				
Response to Missi Incomplete Applica		etitio opy of	n for Suspension Petition for Sus	of t pens	he Rules ion of the Rules	
Response to Parts under 1.52 or 1.53	37 CFR					
	SIGNATURE O	F APPL	CANT, ATTORNEY, OR	AGEN	NT	
Firm or Individual name Robe:	rt McIsaac,	Ph.D.	(Reg. No. 46,918)			
Signature	mms	four				
Date Augus	st 28, 2001					

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mall in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 8/28/01

Typed or printed name Laura Labier

Signature

Date 8/28/01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the Individual case. Any comments on the amount of time you are required to complete this form should be send to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.





PTC/SB/17 (11-00)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to o

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

520.0	30
	520.0

spond to a collection of info	ormation unless it displays a valid o	OMB control number.	
C	omplete if Known		1
Application Number	09/469,812		
Filing Date	December 22, 1999	RECE	VED
First Named Inventor	Dekker	• -	
Examiner Name	Kruse, D.	JUL 1 1	2002
Group Art Unit	1638	OFFICE OF P	TITIONS
Attorney Docket No.	109846.137/SYN-014). 1111.01.00
			-

METHOD OF PAYMENT	FEE CALCULATION (continued)			
1. V The Commissioner is hereby authorized to charge	3. ADDITIONAL FEES	_		
Indicated fees and credit any overpayments to: Deposit	Large Small			
Account 08-0219	Entity Entity Fee Fee Fee Fee Fee Description	Fee Paid		
Deposit Account Hale and Dorr	Code (\$) Code (\$) 105 130 205 65 Surcharge - late filling fee or oath			
Name Charge Any Additional Fee Required	127 50 227 25 Surchange - late provisional filing fee or cover sheet			
Under 37 CFR 1.16 and 1.17 Applicant claims small entity status,	139 130 139 130 Non-English specification			
989 37 CFR 1.27	147 2,520 147 2,520 For filling a request for ex parte reexemination			
2. Payment Enclosed: Check Credit card Money Cother	112 920" 112 920" Requesting publication of SIR prior to Examiner action			
FEE CALCULATION	113 1,840° 113 1,840° Requesting publication of SIR after Examiner action			
	115 110 215 55 Extension for reply within first month	200.60		
1. BASIC FILING FEE Largo Entity Small Entity	116 390 216 195 Extension for reply within second month	390.00		
Fee Fee Fee Fee Description	117 890 217 445 Extension for reply within third month			
Code (\$) Code (\$) Fee Paid 101 710 201 355 Utility filing fee	118 1,390 218 695 Extension for reply within fourth month	i		
106 320 206 160 Design filing fee	128 1,890 228 945 Extension for reply within fifth month			
107 490 207 245 Plant filing fee	119 310 219 155 Notice of Appeal			
108 710 208 SS5 Reissue Ming fee	120 310 220 155 Filing a brief in support of an appeal			
114 150 214 75 Provisional filing fee	121 270 221 135 Request for oral hearing			
	138 1,510 138 1,510 Petition to Institute a public use proceeding			
SUBTOTAL (1) (\$)	140 110 240 55 Pelition to revive - unavoidable			
2. EXTRA CLAIM FEES	141 1,240 241 620 Petition to revive - unintentional			
Fee from Extra Claims <u>pelow</u> Fee Pald	142 1,240 242 620 Utilly issue fee (or reissue)			
Total Claims20** = X =	143 440 243 220 Design lasue fae			
Independent 3** = x =	144 800 244 300 Plantissus fee	130.00		
Multiple Dependent	122 130 122 130 Petitions to the Commissioner	130.00		
	123 50 123 50 Processing fee under 37 CFR 1.17(q)			
Large Entity Small Entity Feo Feo Feo Feo Feo Feo Description	126 180 126 180 Submission of Information Disclosure Stmt			
Code (\$) Code (\$) 103 18 203 9 Claims In excess of 20	581 40 581 40 Recording each patent assignment per property (times number of properties)			
102 BO 202 40 Independent cistms in excess of 3	146 710 248 355 Filing a submission after final rejection (37 CFR § 1.129(a))			
104 270 204 195 Mull/ple dependent claim, if not paid 109 80 209 40 ** Reissue independent claims over original patent	149 710 249 355 For each additional invention to be examined (37 CFR § 1.129(b))			
110 18 210 9 Reissue claims in excess of 20	179 710 279 355 Request for Continued Examination (RCE)			
and over original patent	169 900 169 900 Request for expedited examination of a design application			
SUBTOTAL (2) (\$)	Other fee (specify)			
or number previously paid, if greater; For Reissues, see above	*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 520	0.00		

SUBMITTED BY			Complete (f	Complete (if applicable)	
Name (PrintiType)	Robert McIsaac, Ph.D.	Registration No. 46,918	Telephône	617-526-6000	
Signature	pow mehou		Date	august 28, 2001	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

FAX RECEIVED

JUN - 7 2002

2001

PTC/SB/97 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

PETITIONS OFFICES. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1985, no paraone-are required to respond to accordance of information unless it contains a valid DMB control Number.

Re:

U.S. Patent Application No. 09/469,812 filed December 22, 1999
Title: PLASMIDS FOR PLANT TRANSFORMATION AND METHOD OF USING THE SAME Inventor: Bemardus M. Dekker Examiner: Kruso, D. - Group Art Unit: 1638 Attorney Docket No.:109846-137

ATTENTION: STEVEN BRANTLEY, ESQ.

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office to:

(703) 308-6916

on	<u>June</u>	7,	2002	
			Data	

Laura Blacker

Typed or printed name of person signing Certificate

Note:

Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

·	NU.
Document	<u>Pqs.</u>
Transmittal Form	1
Fee Transmittal Form	1
Request for Reconsideration of a Petition for Suspension	12
of the Rules under 37 C.F.R. Sec. 1.183 with	
attachment	

Total Number of Pages attached (excluding this Certificate of Transmission)

14

No

Burden Hour Statemant. This form is esumated to take 0.05 hours to complete. Time will vary depending upon the needs of the individual case.

Any comments on the amount of thre required to complete this form should be sent to the Chief information Officer, U.S. Palent and Trademark

Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Palents,

Washington, DC 20231.

FAX RECEIVED:

JIJN - 7 2002

BEST AVAILABLE GODY

ZIJUZ PTO/SB/21.(08-00)

Approved for usa through 10/5) (2002, GMB 0551-0037

Approved for usa through 10/5) (2002, GMB 0551-0037

CT CT LS Patem and Trademark Office; U.S. DEPARTMENT OF COMMERCE.

Under the Paperwork Reduction Act of	1995, to persons are required to re	apund tota conection of the matter	MUNICIPAL PROPERTY CANADA CANA
	1	Application Number	09/469,812
TRANS	MITAL	Filing Date	12/22/1999
EC)RM	First Named Inventor:	Bernardus M. Dekker
i men me i beter eine men mit bei bei ein	pondence after initial filirig)	Group Art Unit	1638
The state of the s	d 5 to 0 (0 (0 (0 t) to 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	Examiner Name	Kruse, D∷
Total Number of Page	ih This Submission : 15	Attorney Docket Number	109846-137
	ENCL.	OSURES (check	
Fee Transmittal Form.	Assignn (for an	nent Papers Application)	After Allowance Communication to Group
Fee Altached	Drawing	thin better married and promount of the property of and a second of the property of the proper	Appeal Communication to Board of Appeals and Interferences
Amendment / Reply	and the state of the control of the	ig telafed Papers	Appeal Communication to Group [(Appeal Nodos, Brief, Reply Brief)
After Final	Petrion Petron	to Convert to a	Proprietary Information
Affidavits/declaratio	n(s)	nal Application	-Siarus Letter
Extension of Time Request	Change Addres	of Comespondence	Other Endosure(s), (please identify, below). Certificate of Transmission
Express Abandonment Re	suestimation and the second	al Disclaimer st-for Refund	Request for Reconsideration of a Retition for Suspension of the Rules
Information Disclosure Sta	nang sing traffic removed and specific property of the specific propert	ito manuta (144) i en militario del manuta (144) de militario del monte (144), i en militario del manuta (144), i en militario del militario del manuta (144), i en militario del militario	Under 37 C.F.R. Sec. 1.183 with copy of Petition filed August 28
Certified Copy of Priority	har a compagn cold out to a proper to the cold out of the cold	mber.of.CD(s)	2001 as attachment
Document(s) Response to Missing Parts	Remarks	The state of the s	The state of the s
Incomplete:Application:	enten nagisti, teknomi tepit, tenomi te mint Politi en tenomi ali pitoman jalantan Indirela benasi en telipit titori mana amagu e 10 lela elantan ego en pot en en un juje bo Pelipele bitori ugani nagisti bitori en en un juje bo	And the second s	Part
under 37 © FR 1.52		na philippo and the state of th	Triden de la companya del companya de la companya de la companya del companya de la companya de
a bis man i sina a "Qual de besser en esta (baj de la company en esta (baj	SIGNATURE OF APPL	CANT, ATTORNEY, OR	GENT
Firm or	Robert McIsaac	Ph-D	Francisco (1) (1) (1) (1) (1) (1) (1) (1) (1) (1)
Individual name	an any appears to the second s	The second state of the se	On the substitute of the subst
Signature	fill my	The state of the s	She with Palmin and any and a series of the
Dato	The second size and partial second or a like was a second size of the second se	06/07/2002	The second secon
, 1 um	RUZAH Q CERTIFIC	ATE OF MAILING FO	x Transmission
hereby certify that this correspon	dence is being deposited with Commissioner for Patents, We	the United States Postal Servi	
Typed or printed name		Laura Black	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
Signature	Anina Ga Qd	mada na	06/07/2002

Burden Hour, Statement: This form is estimated to take D.2 hours to complete: Time: will; vary depending upon the heads of the individual case. 'Any comments on the amount' of time: you are required to complete. this form should be sent to the finformation of fices; 'U.S. Patent and Trademark Office, Washington, on the amount' of time: you are required to complete. this form should be sent to the Chief Information Offices; 'U.S. Patent and Trademark Office, Washington, on the amount' of time: you are required to complete. This should be sent to the Chief Information Offices; 'U.S. Patent and Trademark Office, Washington, on the amount' of time: you are required to complete. The chief Information Offices; 'U.S. Patent and Trademark Office, Washington, on the amount' of time: you are required to complete. The chief Information Offices; 'U.S. Patent and Trademark Office, Washington, on the amount' of time: you are required to complete. The chief Information Offices; 'U.S. Patent and Trademark Office, Washington, on the amount' of time: you are required to complete. The chief Information Offices; 'U.S. Patent and Trademark Office, Washington, on the amount' of time: you are required to complete. The chief Information Offices; 'U.S. Patent and Trademark Offices, washington, on the amount' of time: you are required to complete. The chief Information Offices of the chief Information Offices, 'U.S. Patent and Trademark Offices, 'Any of the Chief Information Offices, 'U.S. Patent and 'U

JUN - 7 2002

PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are reclaimed to resolution of Information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

130.00 (\$)

Complete if Known			
Application Number	09/469,812		
Filing Date	12/22/1999		
First Named Inventor	Bernardus M. Dekker		
Examiner Name	Kruse, D.		
Group Art Unit	1638		
Attorney Docket No.	109846-137		

	FEE CALCULATION (continued)				
	3. ADDITIONAL FEES				
Large Small					
Deposit Arcount Number O8-0219 Entity Entity Fee Fee Fee Fee Description Code (\$) Code (\$)	on Fee Paid				
Deposit Arzount Hale and Dorr LLP 105 130 205 65 Surcharge - tate filing fee or	oath				
Name 127 50 227 25 Surcharge - late provisional f	filing fee or				
LJ Under 37 CFR 1.16 and 1.17 139 130 139 130 Non-English specification					
Applicant claims small entity status. See 37 CFR 1.27 147 2,520 147 2,520 For filing a request for ex pa	nte reexamination				
2. Payment Enclosed: 112 920° 112 920° Requesting publication of Si	I 1				
Check Credit card Money Other Examiner action	Raffer				
FEE CALCULATION 113 1,840° 113 1,840° Requesting publication of SII	IV GIRGI				
115 110 215 55 Extension for reply within fire	1				
1. BASIC FILING FEE Large Entity Small Entity 116 400 216 200 Extension for reply within 681	cond month				
Fee Fee Fee Fee Fee Description 117 920 217 460 Extension for reply Within the	rd month				
Code (\$) Code (\$) Fee Paid 118 1,440 218 720 Extension for reply within four	urth month				
101 740 201 370 Utility filing fee 128 1,960 228 980 Extension for reply within fifth	th month				
119 320 219 160 Notice of Appeal	——				
120 320 220 160 Filling a brief in support of an	n appeal				
121 280 221 140 Request for oral hearing					
138 1,510 138 1,510 Petition to institute a public t	use proceeding				
SUBTOTAL (1) (\$) 0.00 110 240 55 Pelition to revive • unavoidal	ble				
2. EXTRA CLAIM FEES 141 1,280 241 640 Pelition to revive - unintention	onal				
Fee from Extra Claims below Fee Paid 142 1,280 242 640 Utility issue fee (or reissue)					
Total Claims -20** = X = 143 480 243 230 Design issue fee					
Independent 3** = X = 144 620 244 310 Plant issue fee	130.00				
Multiple Dependent 122 130 122 130 Petitions to the Commission	161				
123 50 123 50 Processing fee under 37 CF					
Large Entity Small Entity 126 180 126 180 Submission of Information C	Disclosure Stmt				
Fee Fee Fee Fee Description Code (\$) Code (\$) 103 18 203 9 Claims in excess of 20 581 40 581 40 Recording each patent assignment property (times number of p	gnment per properties)				
103 16 203 8 Claims if excess of 20 102 84 202 42 Independent claims in excess of 3 146 740 248 370 Filling a submission after fina (37 CFR § 1.129(a))	al rejection				
104 280 204 140 Multiple dependent claim, if not paid	on to be				
109 84 209 42 ** Reissue independent claims examined (37 CFR § 1.129 over original patent	(b))				
110 18 210 9 Reissue claims in excess of 20 179 740 279 370 Request for Continued Exam					
and over original patent 169 900 169 900 Request for expedited example of a design application	mination				
SUBTOTAL (2) (\$) 0.00 Other fee (specify)	(3) 130.00				
"or number previously paid, if greater, For Reissues, see above Reduced by Basic Filing Fee Paid SUBTOT	AL (3) (\$) 130.00				

SUBMITTED BY		Complete (if applicable)			
Name (Print/Type)	Robert McIsaac, Ph.D.	Registration No.	46,918	Telephone	
Signature	Row mike			Date	06/07/2002

WARNING: Information on this form may become public. Credit card Information should not be included on this form. Provide credit card information and authorization on PTO-2038.